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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)			
	10/741,512	CHEBOLU ET AL.	CHEBOLU ET AL.		
Office Action Summary	Examiner	Art Unit			
	Canh Le	2139			
The MAILING DATE of this communication a Period for Reply	ppears on the cover sheet	with the correspondence add	iress		
A SHORTENED STATUTORY PERIOD FOR REP WHICHEVER IS LONGER, FROM THE MAILING  - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory perior.  - Failure to reply within the set or extended period for reply will, by state Any reply received by the Office later than three months after the mail earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMU 1.136(a). In no event, however, may be will apply and will expire SIX (6) No ute, cause the application to become	NICATION.  If a reply be timely filed  IONTHS from the mailing date of this contained as a BANDONED (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed on <u>03</u>	July 2007				
· ·	nis action is non-final.				
3) Since this application is in condition for allow		atters, prosecution as to the	merits is		
closed in accordance with the practice under	· · · · · · · · · · · · · · · · · · ·	• •			
Disposition of Claims		·			
4)⊠ Claim(s) <u>1-63</u> is/are pending in the application	nn.				
4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.					
6)⊠ Claim(s) <u>1-63</u> is/are rejected.					
7) Claim(s) is/are objected to.		,			
8) Claim(s) are subject to restriction and	/or election requirement				
, , , , , , , , , , , , , , , , , , , ,	or election requirement.	•			
Application Papers					
9) The specification is objected to by the Examiner.					
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.					
Applicant may not request that any objection to the	•				
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).					
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.					
Priority under 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of:  1. Certified copies of the priority docume 2. Certified copies of the priority docume 3. Copies of the certified copies of the prapplication from the International Bure * See the attached detailed Office action for a li	nts have been received. nts have been received in iority documents have be eau (PCT Rule 17.2(a)).	n Application No en received in this National S	Stage		
Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)  Paper No(s)/Mail Date	Paper	ew Summary (PTO-413) No(s)/Mail Date of Informal Patent Application			

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#### **DETAILED ACTION**

This Office Action is in response to the application filed on 07/03/2007.

Claims 1, 3, 17, 22, 24, 38, 43-47, 49-53, 57, 59, 62-63 have been amended.

Claims 1-63 have been examined and are pending.

## Response to Arguments

Applicant's arguments with respect to claims 1-63 have been considered but are most in view of the new ground(s) of rejection.

The rejection of claims 1-42, 45, and 59 under USC 112 second paragraph has been withdrawn from previous office action.

With regards to the rejection under 35 USC 101, the applicant argues about "Claim 1 recites an access control unit and a reporting unit. Paragraph [0039] of the specification explains that the "access control unit 155 of one embodiment can be implemented in software, firmware, hardware, or a combination thereof".

The Examiner respectfully disagrees that the paragraph [0039] gives an access control unit 155 an alternative way to implement in software, firmware, hardware, or a combination. The claim language does not specify to implement in hardware. Therefore, It can be implemented in software. The claimed invention

is directed to non-statutory subject matter. Claim 1 should be rewritten to cover hardware only.

The applicant argues about Claim 22 "The specification explains that operation which are capable of being performed in software may also be implemented in hardware or a combination thereof. See paragraph [0039]".

The Examiner respectfully disagrees with the same reason above. Claim 22 should be rewritten to cover hardware only.

## Response to Amendment

The applicant's amendment filed 07/03/2007 necessitated the new ground(s) of rejection presented in this Office action. Therefore, applicant's arguments with respect to claim 1-63 have been considered but are most in view of the new ground(s) of rejection.

# Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-42 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject mater.

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# As per claims 1-21:

The language in claim 1 raises an issue because the claim is directed merely to software modules (i.e. a control unit, a reporting unit to collect information). The system for controlling computer access in claim 1 does not have the physical hardware components. There is no actual physical of component for a control unit and a report unit of the system. There are GUIs setting specified by an administrator and collecting information from a user that are not tied to an article of manufacture which would result in a practical application producing a concrete, useful, and tangible result to form the basic of statutory subject matter under 35 U.S.C. 101.

Claims 2-21 are dependent claims of claim 1 and rejected with the same reason.

Claim 1 should be rewritten to cover hardware only.

# As per claims 22-42:

The language in claim 22 raises an issue because the claim is directed merely to software modules (i.e. specifying settings...; controlling access...; collecting information ...; compiling information) that are not tied to an article of manufacture which would result in a practical application producing a concrete, useful, and tangible result to form the basic of statutory subject matter under 35 U.S.C. 101.

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Claims 23-42 are dependent claims of claim 22 and rejected with the same reason.

Claim 22 should be rewritten to cover hardware only.

# Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 15-19, 22-26, 36-40, 43-47, and 57-61 are rejected under 35 U.S.C. 102(e) as being anticipated by **Beilinson et al.** (US2004/0003279 A1)

#### As per claim 1:

Beilinson teaches a system for controlling computer access, comprising:
a control unit to control access to a computer according to settings
specified by an administrator for at least one user of the computer [abstract;
par. [0004]; lines 9-13; par. [0048]-[0060]; par. [0051], lines 5-8; A parent
can use sub-category 288 to set specific times during the day that a child is

allowed to use the computer. Also, a administrator can limit an employee's allowable login hours to the hours that the employee regularly works]; and

a reporting unit to collect information on which local computer applications the respective user is attempting to access on the computer, the information being compiled in a report regarding the respective user, the report being made accessible to the administrator [par. [0010], "Desired data is collected which can be distilled into reports on total system usage, computer function usage, function process time, unsuccessful computer function usage attempts and the like. The administrator may apply various filters to the raw data in order to generate reports containing only desired information.... The administrator is further provided with the ability to monitor a user's activity via a read-only view of a user's computer display"; par. [0044]; "The monitoring and auditing component 212 is used to view a user machine by the administrator, to collect user activity data and to generate reports"; par. [0047]].

# As per claim 2:

Beilinson teaches the system of claim 1, wherein the report includes a duration of time the respective user has accessed a particular computer application [abstract; "The invention enables an administrator to restrict a user's logon hours, logon duration, access to computer functions, and access to applications based on content rating"; par. [0006]; par. [0008]; par. [0022]; par. [0045], lines 5-9; "Reports can be generated on total

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system usage, computer function usage, function process time, unsuccessful computer function usage attempts and the like. Other reports could be generated, and the invention is not limited to the particular reports generated"].

# As per claim 3:

Beilinson teaches the system of claim 1, wherein the report includes identification of one or more chronological times in which the respective user has accessed a particular computer application [abstract; "The invention enables an administrator to restrict a user's logon hours, logon duration, access to computer functions, and access to applications based on content rating"; par. [0006]; par. [0008]; par. [0022]; par. [0045], lines 5-9; "Reports can be generated on total system usage, computer function usage, function process time, unsuccessful computer function usage attempts and the like. Other reports could be generated, and the invention is not limited to the particular reports generated"].

#### As per claim 4:

Beilinson teaches the system of claim 1, wherein the report includes the computer applications the respective user is denied access to according to the settings specified by the administrator [abstract; par. [006]; "the implementation of such a system includes restricting a user's logon hours, logon duration, access to computer functions, and access to applications.

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In addition, the implementation of such a system includes enabling an administrator to temporarily restrict or extend a user's normally allowed access privileges as well as monitor, audit, and obtain reports of a user's computer function usage"; par. [009]; par. [0054], lines 7-8; par. [0057], lines 3-4; par. [0065], lines 11-13; "the administrator can thus easily set time of day restrictions or content rating restrictions, for example, and can also specify which reports, if any are desired"; par. [0063], lines 14-15; " a system could be denied until the day after the child's math final"].

## As per claim 5:

Beilinson teaches the system of claim 1, wherein the report includes the computer applications to which the respective user is granted access [abstract; par. [006]; par. [009]; par. [0045]; "Reports can be generated on total system usage, computer function usage, function process time, unsuccessful computer function usage attempts and the like. Other reports could be generated, and the invention is not limited to the particular reports generated"; par. [0059], lines 5-6; a child's daily access to computer games can be limited to an amount defined by the parent; par. [0065]].

#### As per claim 15:

Beilinson teaches the system of claim 1, wherein the reporting unit further

collects additional information on which services of a designated computer application the respective user is attempting to access on the computer, the additional information being compiled in a report regarding the respective user [par. [0010], "Desired data is collected which can be distilled into reports on total system usage, computer function usage, function process time, unsuccessful computer function usage attempts and the like. The administrator may apply various filters to the raw data in order to generate reports containing only desired information.... The administrator is further provided with the ability to monitor a user's activity via a read-only view of a user's computer display"; par. [0044]; "The monitoring and auditing component 212 is used to view a user machine by the administrator, to collect user activity data and to generate reports"; par. [0047]; par. [0059], lines 5-6; " a child's daily access to computer games can be limited to an amount defined by the parent"; an additional information can be a child's daily access to computer games].

## As per claim 16:

Beilinson teaches the system of claim 15, wherein the report further includes a duration of time the respective user has accessed a particular service of the designated computer application [abstract; "The invention enables an administrator to restrict a user's logon hours, logon duration, access to computer functions, and access to applications based on content rating"; par. [0006]; par. [0008]; par. [0022]; par. [0045], lines 5-9; "Reports can be

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generated on total system usage, computer function usage, function process time, unsuccessful computer function usage attempts and the like.

Other reports could be generated, and the invention is not limited to the particular reports generated"].

# As per claim 17:

Beilinson teaches the system of claim 15, wherein the report further identification of one or more chronological times in which the respective user has accessed the particular service of the designated computer application [abstract; "The invention enables an administrator to restrict a user's logon hours, logon duration, access to computer functions, and access to applications based on content rating"; par. [0006]; par. [0008]; par. [0022]; par. [0045], lines 5-9; "Reports can be generated on total system usage, computer function usage, function process time, unsuccessful computer function usage attempts and the like. Other reports could be generated, and the invention is not limited to the particular reports generated"].

## As per claim 18:

Beilinson teaches the system of claim 15, wherein the report includes the services the respective user is denied access to according to the settings specified by the administrator [abstract; par. [006]; "the implementation of such a system includes restricting a user's logon hours, logon duration, access to computer functions, and access to applications. In addition, the

implementation of such a system includes enabling an administrator to temporarily restrict or extend a user's normally allowed access privileges as well as monitor, audit, and obtain reports of a user's computer function usage"; par. [0054], lines 7-8; par. [0057], lines 3-4; par. [0065], lines 11-13; "the administrator can thus easily set time of day restrictions or content rating restrictions, for example, and can also specify which reports, if any are desired"; par. [0063], lines 14-15; " a system could be denied until the day after the child's math final"].

## As per claim 19:

Beilinson teaches the system of claim 15, wherein the report includes the services the respective user is granted access to according to the settings specified by the administrator [abstract; par. [006]; par. [009]; par. [0045]; "Reports can be generated on total system usage, computer function usage, function process time, unsuccessful computer function usage attempts and the like. Other reports could be generated, and the invention is not limited to the particular reports generated"; par. [0059], lines 5-6; a child's daily access to computer games can be limited to an amount defined by the parent; par. [0065]].

# As per claims 22-26, 36-40:

35 U.S.C. 112, sixth paragraph, has been invoked regarding claims 22-26 and 36-40. The claims recite "means for" plus a function. The structures

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corresponding to the functions given within claims 22-26 and 36-40 are being interpreted by the Examiner as given within paragraph [0048] of the instant applications specification.

Claims 22-26 and 36-40 are essentially the same as claims 1-5 and 15-19 accordingly except that it sets forth the claimed invention as a system for controlling computer access comprising means for function rather a system and rejected under the same reasons as applied above.

## As per claims 43-47, 57-61:

Claims 43-47 and 57-61 are essentially the same as claims 1-5 and 15-19 accordingly except that it sets forth the claimed invention as a method rather a system comprising and rejected under the same reasons as applied above.

# Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 6-11, 20-21, 27-32, 41-42, 48-53, and 62-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Beilinson et al.** (US2004/0003279 A1) in view of **Mathew et al.** (US 2004/0003071 A1).

# As per claim 6:

Beilinson does not teach the system wherein the report is in the form of a web page.

However, Mathew teaches the system wherein the report is in the form of a web page [fig. 17; par. [0071]; a history summary report implemented as a Web page using a markup language].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Beilinson of the invention by including the step of Mathew because it would allow administrator control component is operable to track and store the user's allowed and blocked online action, generate a history summary report to administrator [Mathew, fig. 17, par. [0016]].

## As per claim 7:

Mathew teaches the system of claim 6, wherein the report provides a mechanism for the administrator to authorize the respective user access to a particular application to which the respective was previously denied access [fig. 17, section of Blocked Web sites, third column; an administrator can select "Allow site"; fig. 16, box 1610 and 1612; par. [0078], lines 1-5 and lines 9-12]. Motivation is the same as claim 6.

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# As per claim 8:

Mathew teaches the system of claim 6, wherein the report provides a mechanism for the administrator to prohibit the respective user access to a particular application [fig. 17, section of Visited sites, third column; an administrator can select "Block site"; fig. 16, box 1610 and 1614; par. [0079], lines 1-10]. Motivation is the same as claim 6.

# As per claim 9:

Mathew teaches the system of claim 6, wherein the report is accessible by the administrator from a remote location from the computer [par. [0009]; lines 6-8; par. [0069], line 10; a computer generates a history summary report from the stored information; fig. 2, database 206 and database 208]. Motivation is the same as claim 6.

# As per claim 10:

Mathew teaches the system of claim 6, further comprising: a database remote from the computer, the database storing the report regarding the respective user [par. [0009]; lines 6-8; par. [0069], line 10; a summary information is stored]. Motivation is the same as claim 6.

## As per claim 11:

Beilinson does not teach explicitly teach the system wherein the reporting unit updates the report with new collected information after an occurrence of at least one particular computer event.

However, Mathew teaches the system wherein the reporting unit updates the report with new collected information after an occurrence of at least one particular computer event [fig. 5B; fig. 5C; par. [0052]; "the parental control server 204 receives the request resolution and update the consent database 208 with request resolution"]. Motivation is the same as claim 6.

#### As per claim 20:

Beilinson does not explicitly teach the system wherein the report provides a mechanism for the administrator to authorize the respective user access to a particular service to which the respective user was previously denied access.

However, Mathew teaches the system wherein the report provides a mechanism for the administrator to authorize the respective user access to a particular service to which the respective user was previously denied access [fig. 17, section of Blocked Web sites, third column; an administrator can select "Allow site"; fig. 16, box 1610 and 1612; par. [0078], lines 1-5 and lines 9-12].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Beilinson of the invention by including the step of Mathew because it would allow administrator.

control component is operable to track and store the user's allowed and blocked online action, generate a history summary report to administrator [Mathew, fig. 17, par. [0016]].

# As per claim 21:

Mathew further teaches the system of claim 15, wherein the report provides a mechanism for the administrator to prohibit the respective user access to a particular service to which the respective user was previously granted access [fig. 17, section of Visited sites, third column; an administrator can select "Block site"; fig. 16, box 1610 and 1614; par. [0079], lines 1-10].

Motivation is the same as claim 20.

# As per claims 27-32, 41-42:

35 U.S.C. 112, sixth paragraph, has been invoked regarding claims 27-32 and 41-42. The claims recite "means for" plus a function. The structures corresponding to the functions given within claims 27-32 and 41-42 are being interpreted by the Examiner as given within paragraph [0048] of the instant applications specification.

Claims 27-32 and 41-42 are essentially the same as claims 6-11 and 20-21 accordingly except that it sets forth the claimed invention as a system for controlling computer access comprising means for function rather a system and rejected under the same reasons as applied above. Application/Control Number: 10/741,512 Page 17

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As per claims 48-53, 62-63:

Claims 48-53 and 62-63 are essentially the same as claim 6-11 and 20-21 accordingly except that it sets forth the claimed invention as a method rather a system comprising and rejected under the same reasons as applied above.

Claims 12-13, 33-34, and 54-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Beilinson et al.** (US2004/0003279 A1) and **Mathew et al.** (US 2004/0003071 A1) in view of **Rowland** (US 6,405,318 B1).

As per claim 12:

Beilinson and Mathew teach the system as described in claim 11.

Beilinson and Mathew do not teach a system wherein the particular computer event includes the respective user logging on the computer.

However, Rowland teaches a system wherein the particular computer event includes the respective user logging on the computer [col. 4, lines 30-38; a system monitors logs (record) all logins and logouts for the target host 21].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Beilinson and Mathew of the invention by including the step of Rowland because it would be able to detect intrusion as they are occurring or soon after in real-time system [Rowland, fig. 17, par. [0068], lines 1-3].

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# As per claim 13:

Beilinson and Mathew teach the system as described in claim 11.

Beilinson and Mathew do not teach a system wherein the particular computer event includes the respective user logging off the computer.

Rowland teaches a system wherein the particular computer event includes the respective user logging off the computer [col. 4, lines 30-38; a system monitors logs (record) all logins and logouts for the target host 21].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Beilinson and Mathew of the invention by including the step of Rowland because it would be able to detect intrusion as they are occurring or soon after in real-time system [Rowland, fig. 17, par. [0068], lines 1-3].

#### As per claims 33-34:

35 U.S.C. 112, sixth paragraph, has been invoked regarding claims 33-34. The claims recite "means for" plus a function. The structures corresponding to the functions given within claims 33-34 are being interpreted by the Examiner as given within paragraph [0048] of the instant applications specification.

Claims 33-34 are essentially the same as claims 12-13 accordingly except that it sets forth the claimed invention as a system for controlling computer

access comprising means for function rather a system and rejected under the same reasons as applied above.

## As per claims 54-55:

Claims 54-55 are essentially the same as claim 12-13 accordingly except that it sets forth the claimed invention as a method rather a system comprising and rejected under the same reasons as applied above.

Claims 14, 35, and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Beilinson et al.** (US2004/0003279 A1) and **Mathew et al.** (US 2004/0003071 A1) in view of **Terry** (US 2002/0026605 A1).

# As per claim 14:

Beilinson and Mathew teach the system as described in claim 11.

Beilinson and Mathew do not teach a system wherein the particular computer event includes the start up of the computer.

However, Terry teaches a system wherein the particular computer event includes the start up of the computer [par. [0051], lines 1-3; "tracking of all internal machine configuration profiles (start-up) in a computer unit 105 having the client application 110"].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Beilinson and Mathew of the invention by including the step of Terry because it would provide

the ability to report in a real-time environment to the monitor station and the ability to record and analyze a "penetration pattern" of unknown program [Terry, par. [0016] and par. [0017]].

## As per claim 35:

35 U.S.C. 112, sixth paragraph, has been invoked regarding claim 35. The claims recite "means for" plus a function. The structures corresponding to the functions given within claim 35 are being interpreted by the Examiner as given within paragraph [0048] of the instant applications specification.

Claim 35 is essentially the same as claim 14 accordingly except that it sets forth the claimed invention as a system for controlling computer access comprising means for function rather a system and rejected under the same reasons as applied above.

#### As per claim 56:

Claim 56 is essentially the same as claim 14 accordingly except that it sets forth the claimed invention as a method rather a system comprising and rejected under the same reasons as applied above.

#### Action is Final

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL.

See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

#### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Canh Le whose telephone number is 571-270-1380. The examiner can normally be reached on Monday to Friday 7:30AM to 5:00PM other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Canh Le August 12, 2007

> CHRISTOPHER REVAK PRIMARY EXAMINER